

**UNITED STATES OF AMERICA  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**CHAIRMAN:**

Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

Judge David R. Hansen  
United States Court of Appeals  
Eighth Circuit

Judge Anthony J. Scirica  
United States Court of Appeals  
Third Circuit

**DIRECT REPLY TO:**

Jeffery N. Lüthi  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

Telephone: [202] 502-2800  
Fax: [202] 502-2888

<http://www.jpmr.uscourts.gov>

August 2, 2006

Robert C. Heinemann, Clerk  
130 United States Courthouse  
225 Cadman Plaza East  
Brooklyn, NY 11201-1818

Re: MDL-1596 -- In re Zyprexa Products Liability Litigation

(See Attached CTO-58)

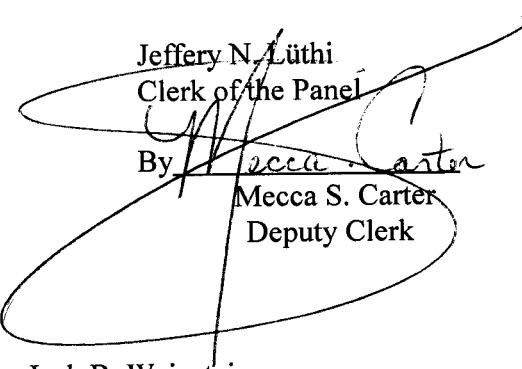
Dear Mr. Heinemann:

I am enclosing a certified copy and one additional copy of a conditional transfer order filed by the Panel in the above-captioned matter on July 17, 2006. As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

The Panel's governing statute, 28 U.S.C. §1407, requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred."

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel  
  
By Mecca S. Carter  
Mecca S. Carter  
Deputy Clerk

Attachment

cc: Transferee Judge:  
Transferor Judges:  
Transferor Clerks:

Judge Jack B. Weinstein  
(See Attached List of Judges)  
(See Attached List of Clerks)

**INVOLVED COUNSEL LIST (CTO-58)****DOCKET NO. 1596****IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

Samuel J. Abate, Jr  
 McCarter & English, L.L.P.  
 919 N, Market Street  
 Wilmington, DE 19801

Andy D. Birchfield, Jr.  
 Beasley, Allen, Crow, Methvin, Portis & Miles, PC  
 P.O. Box 4160  
 Montgomery, AL 36103-4160

Thomas F. Campion, Jr.  
 Drinker, Biddle & Reath, L.L.P.  
 500 Campus Drive  
 Florham Park, NJ 07932-1047

Jan M. Carroll  
 Barnes & Thornburg, LLP  
 11 S. Meridian Street  
 Suite 1313  
 Indianapolis, IN 46204

David J. Cutshaw  
 Cohen & Malad, LLP  
 One Indiana Square  
 Suite 1400  
 Indianapolis, IN 46204

Joseph P. Danis  
 Carey & Danis, LLC  
 8235 Forsyth Blvd.  
 Suite 1100  
 St. Louis, MO 63105

Colleen T. Davies  
 Reed Smith, LLP  
 1999 Harrison Street, Suite 2400  
 P.O. Box 2084  
 Oakland, CA 94612-3572

Michael W. Davis  
 Sidley Austin, LLP  
 One South Dearborn Street  
 Chicago, IL 60603

Andrew G. Finkelstein  
 Finkelstein & Partners, LLP  
 436 Robinson Avenue  
 Newburgh, NY 12550

Francis J. Flynn  
 Jeffrey J. Lowe, P.C.  
 8235 Forsyth Boulevard  
 Suite 1100  
 St. Louis, MO 63105

Nina M. Gussack  
 Pepper Hamilton, LLP  
 3000 Two Logan Square  
 18th & Arch Street  
 Philadelphia, PA 19103-2799

Jeffrey A. Kaiser  
 Levin Simes Kaiser & Gornick, LLP  
 1 Bush Street  
 14th Floor  
 San Francisco, CA 94104-4425

Scott D. Levensten  
 Levensten Law Firm  
 1325 Spruce Street  
 Philadelphia, PA 19107

Alan Daniel Mathis  
 Johnston, Barton, Proctor & Powell, LLP  
 AmSouth/Harbert Plaza  
 1901 6th Avenue North  
 Suite 2900  
 Birmingham, AL 35203-2618

W. Jason Rankin  
 Burroughs, Hepler, Broom, MacDonald, et al.  
 103 W. Vandalia Street  
 Suite 300  
 P.O. Box 510  
 Edwardsville, IL 62025-1510

Lisa Anderson Reppeto  
 Watkins, Ludlam, Winter & Stennis, P.A.  
 P.O. Box 427  
 Jackson, MS 39205-0427

Christopher A. Seeger  
 Seeger Weiss, LLP  
 550 Broad Street  
 Suite 920  
 Newark, NJ 07102

William Roger Smith, III  
 Beasley, Allen, Crow, Methvin, Portis & Miles, PC  
 P.O. Box 4160  
 Montgomery, AL 36103-4160

James M. Wood  
 Reed Smith, LLP  
 1999 Harrison Street  
 22nd Floor  
 Oakland, CA 94612-3572

Ernest Franklin Woodson, Jr.  
 Beasley, Allen, Crow, Methvin, Portis & Miles, PC  
 218 Commerce Street  
 P.O. Box 4160  
 Montgomery, AL 36103-4160

**INVOLVED JUDGES LIST (CTO-58)**  
**DOCKET NO. 1596**  
**IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

Hon. W. Harold Albritton, III  
Senior U.S. District Judge  
P.O. Box 629  
Montgomery, AL 36101-0629

Hon. William H. Alsup  
U.S. District Judge  
Phillip Burton U.S. Courthouse  
Box 36060  
450 Golden Gate Avenue  
San Francisco, CA 94102-3489

Hon. Saundra Brown Armstrong  
U.S. District Judge  
390-C Ronald V. Dellums Federal  
Building  
1301 Clay Street  
Oakland, CA 94612-5217

Hon. Sarah Evans Barker  
U.S. District Judge  
210 Birch Bayh Federal Building & U.S.  
Courthouse  
46 East Ohio Street  
Indianapolis, IN 46204

Hon. Harvey Bartle, III  
Chief Judge, U.S. District Court  
16614 James A. Byrne U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106-1797

Hon. Anita B. Brody  
U.S. District Judge  
4000 James A. Byrne U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106

Hon. Edward M. Chen  
U.S. Magistrate Judge  
Phill Burton U.S. Courthouse  
450 Golden Gate Avenue  
Box 36060  
San Francisco, CA 94102

Hon. Maxine M. Chesney  
U.S. District Judge  
Phillip Burton U.S. Courthouse  
19th Floor  
450 Golden Gate Avenue  
San Francisco, CA 94102-3434

Hon. Stewart Dalzell  
U.S. District Judge  
5614 James A. Byrne U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106

Hon. Phyllis J. Hamilton  
U.S. District Judge  
Phillip Burton U.S. Courthouse  
450 Golden Gate Avenue  
17th Floor  
San Francisco, CA 94102-3434

Hon. David R. Herndon  
U.S. District Judge  
P.O. Box 259  
E. St. Louis, IL 62202-0259

Hon. Maria-Elena James  
U.S. Magistrate Judge  
15-5698 Phillip Burton U.S. Courthouse  
450 Golden Gate Avenue  
San Francisco, CA 94102-3434

Hon. Martin J. Jenkins  
U.S. District Judge  
Phillip Burton U.S. Courthouse  
Box 36060  
450 Golden Gate Ave.  
San Francisco, CA 94102-3434

Hon. Peter K. Leisure  
Senior U.S. District Judge  
1910 Daniel Patrick Moynihan  
U.S. Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Hon. Michael P. Mills  
U.S. District Judge  
335 Federal Bldg. & U.S. Courthouse  
911 Jackson Avenue, West  
Oxford, MS 38655

Hon. John R. Padova  
U.S. District Judge  
6614 James A. Byrne U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106-1759

Hon. Marilyn Hall Patel  
U.S. District Judge  
Phillip Burton U.S. Courthouse  
Box 36060  
450 Golden Gate Avenue  
San Francisco, CA 94102-3661

Hon. Jeffrey S. White  
U.S. District Judge  
Phillip Burton U.S. Courthouse  
450 Golden Gate Avenue  
Box 36060  
San Francisco, CA 94102-3489

Hon. Claudia Wilken  
U.S. District Judge  
Ronald V. Dellums Federal Building  
Suite 400 South  
1301 Clay Street  
Oakland, CA 94612-5217

**INVOLVED CLERKS LIST (CTO-58)**  
**DOCKET NO. 1596**  
**IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

Arlen B. Coyle, Clerk  
369 Federal Building & U.S. Courthouse  
911 Jackson Avenue East  
Oxford, MS 38655-3622

Debra P. Hackett, Clerk  
U.S. District Court  
P.O. Box 711  
Montgomery, AL 36101-0711

J. Michael McMahon, Clerk  
Daniel Patrick Moynihan  
U.S. Courthouse  
500 Pearl Street  
New York, NY 10007-1312

Laura A. Briggs, Clerk  
105 Birch Bayh Federal Building & U.S. Courthouse  
46 East Ohio Street  
Indianapolis, IN 46204

Michael E. Kunz, Clerk  
2609 James A. Byrne  
U.S. Courthouse  
601 Market Street  
Philadelphia, PA 19106-1797

Norbert G. Jaworski, Clerk  
U.S. District Court  
P.O. Box 249  
E. St. Louis, IL 62202-0249

Richard W. Wiekling, Clerk  
400-S Ronald V. Dellums  
Federal Building  
1301 Clay Street  
Oakland, CA 94612-5212

Richard W. Wiekling, Clerk  
Phillip Burton U.S. Courthouse  
Box 36060  
450 Golden Gate Avenue  
San Francisco, CA 94102-3489

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JUL 17 2006

FILED  
CLERK'S OFFICE.

**DOCKET NO. 1596**

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

**(SEE ATTACHED SCHEDULE)**

**CONDITIONAL TRANSFER ORDER (CTO-58)**

On April 14, 2004, the Panel transferred six civil actions to the United States District Court for the Eastern District of New York for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See 314 F.Supp.2d 1380 (J.P.M.L. 2004). Since that time, 1,128 additional actions have been transferred to the Eastern District of New York. With the consent of that court, all such actions have been assigned to the Honorable Jack B. Weinstein.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Eastern District of New York and assigned to Judge Weinstein.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Eastern District of New York for the reasons stated in the order of April 14, 2004, and, with the consent of that court, assigned to the Honorable Jack B. Weinstein.

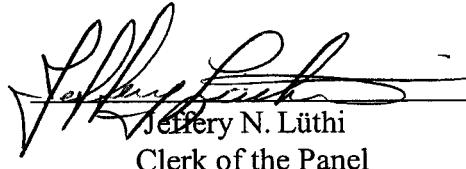
This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Eastern District of New York. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is pending at this time, the stay is lifted.

AUG - 2 2006

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FOR THE PANEL:

  
Jeffery N. Lüthi  
Clerk of the Panel

**SCHEDULE CTO-58 - TAG-ALONG ACTIONS  
DOCKET NO. 1596  
IN RE ZYPREXA PRODUCTS LIABILITY LITIGATION**

<u>DIST. DIV. C.A. #</u>	<u>CASE CAPTION</u>
ALABAMA MIDDLE	
<del>ALM 2 06-481</del>	<del>Mary Mallard v. Eli Lilly &amp; Co., et al.</del> Opposed 8/2/06
<del>ALM 2 06-542</del>	<del>Patricia Segrest v. Eli Lilly &amp; Co., et al.</del> Opposed 8/2/06
CALIFORNIA NORTHERN	
CAN 3 06-546	John Jones v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-554	Casey Jones, et al. v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-560	Tracy Martin v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-563	James Miller, et al. v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-576	Emanuel Johnson, Jr., et al. v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-581	Cheryl Cole, et al. v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-583	Marisa Castillo v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-584	Stephen Carr v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-593	Herman McAfee v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-594	Andre Senay v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-595	Amesha Thorne v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-596	Faith McConnell v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-597	Patti Cato, et al. v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-605	Wendy Melebeck v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-607	Cynthia Crockett v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-617	James Martin v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-619	Rodney Davis v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 3 06-641	Dorothy McGee, et al. v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 4 06-603	Lori Brendgard v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 4 06-612	Debra Gaines v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 4 06-616	Jeanette Severi v. AstraZeneca Pharmaceuticals, LP, et al.
CAN 4 06-656	Corde Williams v. AstraZeneca Pharmaceuticals, LP, et al.
ILLINOIS SOUTHERN	
ILS 3 06-411	Meghan Knobe v. Eli Lilly & Co.
INDIANA SOUTHERN	
INS 1 06-992	Sandra Strange v. Eli Lilly & Co.
MISSISSIPPI NORTHERN	
MSN 2 06-102	Robert Towns v. Eli Lilly & Co.
NEW YORK SOUTHERN	
NYS 1 06-4134	Earnest Smith, et al. v. Eli Lilly & Co.
PENNSYLVANIA EASTERN	
PAE 2 06-2290	Harold T. Moore v. Eli Lilly & Co.
PAE 2 06-2457	Troy D. Gillenwater v. Eli Lilly & Co.
PAE 2 06-2601	Margaret R. Dennis v. Eli Lilly & Co.
PAE 2 06-2683	Crystal McVea v. Eli Lilly & Co.